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Please type a plus sign (+) inside the box → ☐

PTO/SB/01 (12-87)

Approved for use through 8/30/00. OMB 0531-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it carries a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☒ Declaration
Submitted
with Initial
Filing

OR ☐ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

| | |
|------------------------|---------------|
| Attorney Docket Number | 10447-011 |
| First Named Inventor | Thor Borgford |
| COMPLETE IF KNOWN | |
| Application Number | / |
| Filing Date | |
| Group Art Unit | |
| Examiner Name | |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is used below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RICIN-LIKE TOXIN VARIANTS FOR TREATMENT OF CANCER, VIRAL OR PARASITIC INFECTIONS

the specification of which (Title of the invention)

☒ is attached hereto

☐ was filed on (MM/DD/YYYY) in United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.66.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 3515(a) of any foreign application(s) for patent or inventor's certificate, or 3515(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

☐ I hereby claim the benefit under 35 U.S.C. 111(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|--|
| | | |

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual user. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it carries a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 35 U.S.C. 121 of any PCT International application designating the United States of America, filed before and/or on the same date as the filing date of this application in the United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 111. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became effective between the filing date of the prior application and the national or PCT International filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| 09/403,752 | 10/29/1999 | |

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

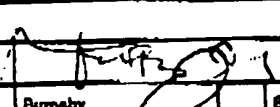
| Customer Number 1059 | | Place Customer Number Bar Code Label here |
|---|---------------------|---|
| <input type="checkbox"/> Registered practitioner(s) name(s) and registration number(s) listed below | | |
| Name | Registration Number | Registration Number |
| Daniel A. Bereskin | 22,267 | 31,698 |
| Richard J. Parr | 22,268 | 33,108 |
| H. Roger Hart | 23,428 | 33,108 |
| David W.R. Langton | 22,247 | 36,003 |
| C. Lloyd Singleton | 23,248 | 36,016 |
| Timothy J. Blount | 21,083 | 36,026 |
| PC Samuel Probst | | |
| Philip Mendes de Costa | | |
| Robert B. Storey | | |
| John A. Rudolph | | |
| Robin L.A. Coster | | |
| Michael E. Chadee | | |

☒ Additional registered practitioner(s) names on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label  OR ☐ Correspondence address below

| | | | | | |
|---------|---------------------|-----------|----------------|--------|----------------|
| Name | Bereskin & Parr | | | 001059 | |
| Address | Box 401 | | | | |
| Address | 40 King Street West | | | | |
| City | Toronto | State | Ontario | Zip | M5H 3Y2 |
| Country | Canada | Telephone | (416) 364-7311 | Fax | (416) 361-1390 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | |
|--------------------------------------|---|-------|------|---------|---------|
| Name of Sole or First Inventor: | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | |
| Given Name (first and middle if any) | Family Name or Surname | | | | |
| THOR | BORGFORD | | | | |
| Inventor's Signature |  | | | | |
| Residence: City | Burnaby | State | B.C. | Country | Canada |
| Post Office Address | Apt 206, 1890 Augusta Avenue | | | | |
| Post Office Address | | | | | |
| City | Burnaby | State | B.C. | Zip | V5A 2V6 |
| Country | Canada | | | | |

☐ Additional inventors are being named on this supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

095544531 0444000

Applicant or Patentee: Thor Borgford

Serial or Patent No.: _____

Filed or Issued: _____

For: Ricin-Like Toxin Variants For Treatment of Cancer, Viral or Parasitic Infections

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(b) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Ricin-Like Toxin Variants For Treatment of Cancer, Viral or Parasitic Infections described in

- ☒ the specification filed herewith
☐ Application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME De Novo Enzyme Corporation

ADDRESS 8081 Loughheed Highway, Burnaby, B.C. V5A 1W9, Canada

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Thor Borgford
Name of Inventor

[Signature]
Signature of Inventor

APRIL 13, 2000
Date

00554151 "04-14-00

Applicant or Patentee: Thor Borgford
 Serial or Patent No.: _____
 Filed or Issued: _____
 For: Ricin-Like Toxin Variants For Treatment of Cancer, Viral or Parasitic Infections

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27 (a)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN De Novo Enzyme Corporation
 ADDRESS OF CONCERN 8081 Loughheed Highway, Burnaby, B.C. V5A 1W9, Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Ricin-Like Toxin Variants For Treatment of Cancer, Viral or Parasitic Infections by inventor Thor Borgford described in

- ☒ the specification filed herewith
☐ PCT application serial no. _____ filed _____
☐ patent no. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING CURTIS BRAUN
 TITLE OF PERSON OTHER THAN OWNER DIRECTOR OF OPERATIONS
 ADDRESS OF PERSON SIGNING 11519 140 A STREET SURREY BC CANADA V3R 1J1

SIGNATURE [Signature] DATE APRIL 13, 2000

00447-011 "TESTS" 044400

